

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

KELLY BLAND, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

OUR WORLD ENERGY LLC
AND
EDJ ENTERPRISES INC.

Defendants.

Case No. 4:24-cv-00994-P

JURY TRIAL DEMANDED

OBJECTION TO MEDIATOR'S APPOINTMENT

Plaintiff objects to the appointment of David Evans as mediator in this action. As an alternative, the Plaintiff suggests the appointment of John Brookman. In support thereof, the Plaintiff states that Mr. Brookman has previously been appointed a mediator in another TCPA case involving the Plaintiff which was also pending before Judge Pittman. Mr. Brookman was able to successfully mediate that case after a previous unsuccessful mediation, demonstrating a track record of success, as well as a familiarity with both the parties and claims at issue in this litigation. As such, the Plaintiff respectfully submits that Mr. Brookman is a more suitable and appropriate mediator for this action. Counsel for Plaintiff has conferred with counsel for the Defendant, who does not join in this objection, but which has indicated that they would not be opposed to Mr. Brookman's appointment if the Court were to appoint him as an alternate.

Wherefore, premises considered, the Court should remove Mr. Evans as a mediator in this action and appoint Mr. Brookman as an alternate, all existing deadlines to remain.

RESPECTFULLY SUBMITTED AND DATED March 7, 2025

/s/ Andrew Roman Perrong
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2025, a copy of the foregoing was served electronically on counsel for the Defendants via the ECF system, which will send a copy to all counsel of record.

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